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LETTER

TO

GEORGE WASHINGTON,

P R E S I D E N T

OF THE

UNITED STATES

OF

A M E R I C A,

FROM

THOMAS PAINE,

✓

AUTHOR OF COMMON SENSE, AMERICAN CRISIS, RIGHTS OF MAN,  
&c. &c.

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L O N D O N;

PRINTED AND SOLD BY DANIEL ISAAC EATON,

No. 74, NEWGATE-STREET.

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Paris, August, 1796

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There was a time when the fame of America, moral and political, stood fair and high in the world. The lustre of her revolution extended itself to every individual, and to be a citizen of America, gave a title to respect in Europe. Neither meanness nor ingratitude had then mingled in the composition of her character. Her resistance to the attempted tyranny of England left her unsuspected of the one, and her open acknowledgment of the aid she received from France precluded all suspicion of the other. The politics of Washington had not then appeared.

At the time I left America (April 1787) the continental Convention, that formed the federal constitution, was on the point of meeting. Since that time new schemes of politics, and new distinctions of parties have arisen. The term *Antifederalist* has been applied to all those who combated the defects of that constitution, or opposed the measures of your admini-

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I have introduced these observations not only to mark the general difference between Antifederalist and Anticonstitutionalist, but to preclude the effect, and even the application, of the former of these terms to myself. I declare myself opposed to several matters in the constitution, particularly to the manner in which what is called the executive is formed, and to the long duration of the senate; and if I live to return to America, I will use all my endeavours to have them altered. I also declare myself opposed to almost the whole of your administration; for I know it to have been deceitful, if not perfidious, as I shall show in the course of this letter. But as to the point of consolidating the States into a federal government, it so happens, that the proposition for that purpose came originally from myself. I proposed it in a letter to chancellor Livingston in the spring of the year 1782, whilst that gentleman was minister for foreign affairs. The five per cent. duty recommended by congress had then fallen, through having been adopted by some of the States, altered by others, rejected by Rhode Island, and repealed by Virginia, after it had been consented to. The proposal in the letter I allude to, was to get over the whole difficulty at once, by annexing a continental legislative body to Congress; for in order to have any law of the Union uniform, the case could  
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Having thus cleared away a little of the rubbish that might otherwise have lain in my way, I return to the point of time at which the present federal constitution and your administration began. It was very well said by an anonymous writer in Philadelphia, about a year before that period, that "*thirteen slaves and ne'er a hoop will not make a barrel*;" and as any kind of hooping the barrel, however defectively executed, would be better than none, it was scarcely possible but that considerable advantages must arise from the federal hooping of the States. It was with pleasure that every sincere friend to America beheld, as the natural effect of union, her rising prosperity; and it was with grief they saw that prosperity mixed, even in the blossom, with the germ of corruption. Monopolies of every kind marked your administration almost



in the moment of its commencement. The lands obtained by the revolution were lavished upon partizans; the interest of the disbanded soldier was sold to the speculator; injustice was acted under the pretence of faith; and the chief of the army became the patron of the fraud. From such a beginning what else could be expected, than what has happened? A mean and servile submission to the insults of one nation; treachery and ingratitude to another.

Some vices make their approach with such a splendid appearance, that we scarcely know to what class of moral distinctions they belong. They are rather virtues corrupted than vices originally. But meanness and ingratitude have nothing equivocal in their character. There is not a trait in them that renders them doubtful. They are so originally vice, that they are generated in the dung of other vices, and crawl into existence with the filth upon their back. The fugitives have found protection in you, and the levee-room is their place of rendezvous.

As the federal constitution is a copy, though not quite so base as the original, of the form of the British government, an imitation of its vices was naturally to be expected. So intimate is the connection between *form* and *practice*, that to adopt the one, is to invite the other. Imitation is naturally progressive, and is rapidly so in matters that are vicious.

Soon after the federal constitution arrived in England, I received a letter from a female literary correspondent (a native of New York) very well mixed with friendship, sentiment, and politics. In my answer to that letter, I permitted myself to ramble into the wilderness of imagination, and to anticipate what might hereafter be the condition of America. I had no idea that the picture I then drew was realizing so fast, and still less that Mr. Washington was hurrying it on.

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As the extract I allude to is congenial with the subject I am upon, I here transcribe it :

" You touch me on a very tender point, when you say, *that my friends on your side the water cannot be reconciled to the idea of my abandoning America even for my native England.* They are right. I had rather see my horse Button eating the grass of Bordentown or Morrissania, than see all the pomp and show of Europe.

" A thousand years hence, for I must indulge a few thoughts, perhaps in less, America may be what England now is. The innocence of her character, that won the hearts of all nations in her favour, may sound like a romance, and her inimitable virtue as if it had never been. The ruins of that liberty, which thousands bled to obtain, may just furnish materials for a village tale, or extort a sigh from rustic sensibility; whilst the fashionable of that day, enveloped in dissipation, shall deride the principle, and deny the fact.

" When we contemplate the fall of empires, and the extinctions of the nations of the ancient world, we see but little more to excite our regret than the mouldering ruins of pompous palaces, magnificent monuments, lofty pyramids and walls and towers of the most costly workmanship: but when the empire of America shall fall, the subject for contemplative sorrow will be infinitely greater than crumbling brass or marble can inspire. It will not then be said, Here stood a temple of vast antiquity, here rose a Babel of invisible height, or there a palace of sumptuous extravagance; but, Here, ah! painful thought! the noblest work of human wisdom, the grandest scene of human glory, the fair cause of freedom, rose and fell: Read this, and then ask if I forget America!"

Impressed, as I was, with apprehensions of this kind, I had  
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America constantly in my mind in all the publications I afterwards made. The First, and, still more, the Second Part of the Rights of Man, bear evident marks of this watchfulness; and the Dissertation on First Principles of Government goes more directly to the point than either of the former. I now pass on to other subjects.

It will be supposed by those into whose hands this letter may fall, that I have some personal resentment against you: I will therefore settle this point before I proceed further.

If I have any resentment, you must acknowledge that I have not been hasty in declaring it, neither would it be now declared (for what are private resentments to the public) if the cause of it did not unite itself as well with your public as with your private character, and with the motives of your political conduct.

The part I acted in the American revolution is well known. I shall not here repeat it. I know also, that, had it not been for the aid received from France, in men, money, and ships, your cold and unmilitary conduct (as I shall show in the course of this letter) would in all probability have lost America; at least she would not have been the independent nation she now is. You slept away your time in the field, till the finances of the country were completely exhausted, and you have but little share in the glory of the final event. It is time, sir, to speak the undisguised language of historical truth.

Elevated to the chair of the presidency, you assumed the merit of every thing to yourself; and the natural ingratitude of your constitution began to appear. You commenced your president's career by encouraging and swallowing the grossest adulation; and you travelled America from one end to the other, to put yourself in the way of receiving it. You have as many addresses in your chest as James the Second.

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John Adams is one of those men who never contemplated the origin of government, or comprehended any thing of first principles. If he had, he might have seen, that the right to set up and establish hereditary government never did, and never can, exist in any generation at any time whatever; that it is of the nature of treason, because it is an attempt to take away the rights of all the minors living at that time, and of all succeeding generations. It is of a degree beyond common treason; it is a sin against nature. The equal rights of generations is a right fixed in the nature of things. It belongs to the son when of age, as it belonged to the father before him. John Adams would himself deny the right that any former deceased generation could have to decree authoritatively a succession of governors over him or over his children, and yet he assumes the pretended right, treasonable as it is, of acting it himself. His ignorance is his best excuse.

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afterwards



and having no authority from the American government to speak officially upon any thing relating to me, he found himself obliged to proceed by unofficial means with individual members; for though Robespierre was overthrown, the Robespierrian members of the Committee of Public Safety still remained in considerable force, and had they found out that Mr. Monroe had no official authority upon the case, they would have paid little or no regard to his reclamation of me. In the mean time my health was suffering exceedingly, the dreary prospect of winter was coming on, and imprisonment was still a thing of danger. After the Robespierrian members of the committee were removed by the expiration of their time of serving, Mr. Monroe reclaimed me, and I was liberated the 4th of November. Mr. Monroe arrived in Paris the beginning of August before. All that period of my imprisonment, at least, I owe not to Robespierre, but to his colleague in projects, George Washington. Immediately upon my liberation Mr. Monroe invited me to his house, where I remained more than a year and half; and I speak of his aid and his friendship, as an open-hearted man will always do in such a case, with respect and gratitude.

Soon after my liberation the Convention passed an unanimous vote to invite me to return to my seat among them. The times were still unsettled and dangerous, as well from without as within, for the coalition was unbroken, and the constitution not settled. I chose, however, to accept the invitation; for as I undertake nothing but what I believe to be right, I abandon nothing that I undertake; and I was willing also to show, that, as I was not of a cast of mind to be deterred by prospects or retrospects of danger, so neither were my principles to be weakened by misfortune or perverted by disgust.

Being now once more abroad in the world, I began to find

that I was not the only one who had conceived an unfavourable opinion of Mr. Washington; it was evident that his character was on the decline as well among Americans, as among foreigners of different nations. From being the chief of the government, he had made himself the chief of a party; and his integrity was questioned, for his politics had a doubtful appearance. The mission of Mr. Jay to London, notwithstanding there was an American minister there already, had then taken place, and was beginning to be talked of. It appeared to others, as it did to me, to be enveloped in mystery, which every day served either to increase or to explain into matter of suspicion.

In the year 1790, or about that time, Mr. Washington, as president, had sent governor Morris to London, as his secret agent, to have some communication with the British ministry. To cover the agency of Morris it was given out, I know not by whom, that he went as an agent from Robert Morris, to borrow money in Europe, and the report was permitted to pass uncontradicted. The event of Morris's negotiation was, that Mr. Hammond was sent minister from England to America, Pinkney from America to England, and himself minister to France. If while Morris was minister in France he was not an emissary of the British ministry, and the coalesced powers, he gave strong reason to suspect him of it. No one who saw his conduct, and heard his conversation, could doubt his being in their interest; and had he not got off at the time he did, after his recall, he would have been in arrestation. Some letters of his had fallen into the hands of the Committee of Public Safety, and inquiry was making after him.

A great bustle has been made by Mr. Washington about the conduct of Genet in America, whilst that of his own minister, Morris, in France, was infinitely more reproachable.

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If Genet was imprudent or rash, he was not treacherous; but Morris was all three. He was the enemy of the French revolution in every stage of it. But notwithstanding this conduct on the part of Morris, and the known profligacy of his character, Mr. Washington in a letter he wrote to him at the time of recalling him, on the complaint and request of the Committee of Public Safety, assures him, that though he had complied with that request, he still retained the same esteem and friendship for him as before. This letter Morris was foolish enough to tell of; and, as his own character and conduct were notorious, the telling of it could have but one effect, which was that of implicating the character of the writer. Morris still loiters in Europe, chiefly in England; and Mr. Washington is still in correspondence with him.—Mr. Washington ought therefore to expect, especially since his conduct in the affair of Jay's treaty, that France must consider Morris and Washington as men of the same description. The chief difference, however, between the two is, (for in politics there is none) that the one is profligate enough to profess an indifference about moral principles, and the other is prudent enough to conceal the want of them.

About three months after I was at liberty, the official note of Jay to Grenville, on the subject of the capture of American vessels by the British cruisers, appeared in the American papers that arrived at Paris. Every thing was of a piece—every thing was mean. The same kind of character went to all circumstances public or private. Disgusted at this national degradation, as well as at the particular conduct of Mr. Washington to me, I wrote to him (Mr. Washington) on the twenty-second of February, 1795, under cover to the then secretary of state (Mr. Randolph), and entrusted the letter to Mr. Letombe, who was appointed French consul to Philadelphia, and was on the point of taking his departure.



When I supposed Mr. Letombe had failed, I mentioned the letter to Mr. Monroe, and as I was then in his house, I showed it to him. He expressed a wish that I would recall it, which he supposed might be done, as he had learned that Mr. Letombe had not then failed. I agreed to do so, and it was returned by Mr. Letombe under cover to Mr. Monroe. The letter will however now reach Mr. Washington publicly in the course of this work.

About the month of September following, I had a severe relapse, which gave occasion to the report of my death. I had felt it coming on a considerable time before, which occasioned me to hasten the work I had then on hand, *The Second Part of the Age of Reason*. When I had finished that work, I bestowed another letter on Mr. Washington, which I sent under cover to Mr. Franklin Bache of Philadelphia. The letter was as follows :

# TO GEORGE WASHINGTON,

PRESIDENT OF THE UNITED STATES.

SIR,

Paris, September 20, 1795.

I HAD written you a letter by Mr. Letombe, French consul, but at the request of Mr. Monroe, I withdrew it, and the letter is still by me. I was the more easily prevailed upon to do this, as it was then my intention to have returned to America the latter end of the present year (1795); but the illness I now suffer prevents me. In case I had come, I should have applied to you for such parts of your official letters (and your private ones, if you had chosen to give them) as contained any instructions or directions either to

Mr.

Mr. Monroe, or Mr. Morris, or to any other person, respecting me; for after you were informed of my imprisonment in France, it was incumbent on you to have made some inquiry into the cause, as you might very well conclude that I had not the opportunity of informing you of it. I cannot understand your silence upon this subject on any other ground, than as connivance at my imprisonment; and this is the manner it is understood herè, and will be understood in America, unless you can give me authority for contradicting it. I therefore write you this letter, to propose to you to send me copies of any letters you have written, that I may remove this suspicion. In the preface to the second part of the *Age of Reason*, I have given a memorandum from the handwriting of Robespierre, in which he proposed a decree of accusation against me, "*for the interest of America as well as of France.*" He could have no cause for putting America in the case, but by interpreting the silence of the American government into connivance and consent. I was imprisoned on the ground of being born in England; and your silence in not inquiring the cause of that imprisonment, and reclaiming me against it, was tacitly giving me up. I ought not to have suspected you of treachery; but whether I recover from the illness I now suffer, or not, I shall continue to think you treacherous, till you give me cause to think otherwise. I am sure you would have found yourself more at your ease, had you acted by me as you ought; for whether your desertion of me was intended to gratify the English government, or to let me fall into destruction in France, that you might exclaim the louder against the French revolution; or whether you hoped by my extinction to meet with less opposition in mounting up the American government; either of these will involve you in reproach you will not easily shake off.

THOMAS PAYNE.

Here follows the letter above alluded to, which had been withdrawn.

## TO GEORGE WASHINGTON,

PRESIDENT OF THE UNITED STATES.

SIR,

Paris, Feb. 22, 1793.

As it is always painful to reproach those one would wish to respect, it is not without some difficulty that I have taken the resolution to write to you. The danger to which I have been exposed cannot have been unknown to you, and the guarded silence you have observed upon that circumstance is what I ought not to have expected from you, either as a friend or as president of the United States.

You knew enough of my character to be assured, that I could not have deserved imprisonment in France; and without knowing any thing more than this, you had sufficient ground to have taken some interest for my safety. Every motive arising from recollection ought to have suggested to you the consistency of such a measure. But I cannot find that you have so much as directed any inquiry to be made whether I was in prison or in liberty, dead or alive; what the cause of that imprisonment was, or whether there was any service or assistance you could render. Is this what I ought to have expected from America, after the part I have acted towards her? or will it redound to her honour or to yours that I tell the story? I do not hesitate to say that you have not served America with more fidelity, or greater zeal, or more disinterestedness, than myself, and perhaps not with better effect. After the revolution of America had been established, you

rested



rested at home to partake its advantages, and I ventured into new scenes of difficulty to extend the principles which that revolution had produced. In the progress of events; you beheld yourself a president in America, and me a prisoner in France; you folded your arms, forgot your friend, and became silent.

As every thing I have been doing in Europe was connected with my wishes for the prosperity of America, I ought to be the more surprised at this conduct on the part of her government. It leaves me but one mode of explanation, which is, *that every thing is not as it ought to be among you*, and that the presence of a man who might disapprove, and who had credit enough with the country to be heard and believed, was not wished for. This was the operating motive with the despotic faction that imprisoned me in France (though the pretence was that I was a foreigner), and those that have been silent and inactive towards me in America, appear to me to have acted from the same motive. It is impossible for me to discover any other.

After the part I have taken in the revolution of America, it is natural that I feel interested in whatever relates to her character and prosperity. Though I am not on the spot to see what is immediately acting there, I see some part of what she is acting in Europe. For your own sake, as well as for that of America, I was both surprised and concerned at the appointment of Governor Morris, to be minister to France. His conduct has proved that the opinion I had formed of that appointment was well founded. I wrote that opinion to Mr. Jefferson at the time, and I was frank enough to say the same thing to Morris, that *it was an unfortunate appointment*. His prating insignificant pomposity rendered him at once offensive, suspected, and ridiculous; and his total neglect of all business had so disgusted the Americans, that they proposed

posed drawing up a protest against him. He carried his neglect to such an extreme, that it was necessary to inform him of it ; and I asked him one day *if he did not feel himself ashamed to take the money of the country and do nothing for it ;* but Morris is so fond of profit and voluptuousness, that he cares nothing about character. Had he not been removed at the time he was, I think his conduct would have precipitated the two countries into a rupture, and in this case hated *systematically*, as America is and ever will be by the British government, and at the same time suspected by France, the commerce of America would have fallen a prey to both.

If the inconsistent conduct of Morris exposed the interest of America to some hazard in France, the pusillanimous conduct of Mr. Jay in England has rendered the American government contemptible in Europe. Is it possible that any man, who has contributed to the independence of America, and to free her from the tyranny and injustice of the British government, can read without shame and indignation the note of Jay to Grenville. It is a satire upon the declaration of independence, and an encouragement to the British government to treat America with contempt. At the time this minister of petitions was acting this miserable part, he had every means in his hands to enable him to have done his business as he ought. The success or failure of his mission depended upon the success or failure of the French arms. Had France failed, Mr. Jay might have put his humble petition in his pocket, and gone home. The case happened to be otherwise, and he has sacrificed the honour, and perhaps the advantage of it, by turning petitioner. I take it for granted, that he was sent over to demand indemnification for the captured property ; and, in this case, if he thought he wanted a preamble to his demand, he might have said, " that though  
" the government of England might suppose itself under the  
" necessity

" necessity of seizing American property bound to France, " yet that supposed necessity could not preclude indemnification to the proprietors, who, acting under the authority " of their own government, were not accountable to any " other." But Mr. Jay sets out with an implied recognition of the right of the British government to seize and condemn; for he enters his complaint against the *irregularity* of the seizures, and the condemnation, as if they were reprehensible only by not being conformable to the terms of the proclamation under which they were seized. Instead of being the envoy of a government, he goes over like a lawyer to demand a new trial. I can hardly help thinking but that Grenville wrote that note himself, and Jay signed it; for the style of it is domestic and not diplomatic. The term *his Majesty*, used without any descriptive epithet, always signifies the king whom the minister represents. If this sinking of the demand into a petition was a juggle between Grenville and Jay to cover the indemnification, I think it will end in another juggle, that of never paying the money; and be made use of afterwards to preclude the right of demanding it: for Mr. Jay has virtually disowned the right by appealing to the *magnanimity of his majesty against the capturers*. He has made this magnanimous majesty the umpire in the case, and the government of the United States must abide by the decision. If, Sir, I turn some part of this business into ridicule, it is to avoid the unpleasant sensation of serious indignation.

Among other things which I confess I do not understand is your proclamation of neutrality. This has always appeared to me as an assumption on the part of the executive. But passing this over as a disputable case, and considering it only as political, the consequence has been that of sustaining the losses of war, without the balance of reprisals. When the profession of neutrality on the part of America, was answered by



hostilities on the part of Britain, the object and intention of that neutrality existed no longer; and to maintain it after this, was not only to encourage further insults and depredations, but was an informal breach of neutrality towards France, by passively contributing to the aid of her enemy. That the government of England considered the American government as pusillanimous, is evident from the increasing insolence of the conduct of the former towards the latter, till the affair of general Wayne. She then saw that it might be possible to kick a government into some degree of spirit. So far as the proclamation of neutrality was intended to prevent a dissolute spirit of privateering in America under foreign colours, it was undoubtedly laudable, but to continue it as a government neutrality, after the commerce of America was made war upon, was submission and not neutrality. I have heard so much about this thing called neutrality, that I know not if the ungenerous and dishonourable silence (for I must call it such) that has been observed by your part of the government towards me, during my imprisonment, has not in some measure arisen from that policy.

Though I have written you this letter, you ought not to suppose it has been an agreeable undertaking to me. On the contrary, I assure you, it has cost me some disquietude. I am sorry you have given me cause to do it, for as I have always remembered your former friendship with pleasure, I suffer a loss by your depriving me of that sentiment.

THOMAS PAINE.

That this letter was not written in very good temper, is very evident; but it was just such a letter as his conduct appeared to me to merit, and every thing on his part since has served

served to confirm that opinion. Had I wanted a commentary on his silence, with respect to my imprisonment in France, some of his faction have furnished me with it. What I here allude to is a publication in a Philadelphia paper, copied afterwards into a New York paper, both under the patronage of the Washington faction, in which the writer, still supposing me in prison in France, wonders at my lengthy respite from the scaffold. And he marks his politics still further by saying, "It appears, moreover, that the people of England did not relish his (Thomas Paine's) opinions quite so well as he expected; and that for one of his last pieces, as destructive to the peace and happiness of their country (meaning, I suppose, the *Rights of Man*), they threatened our knight-errant with such serious vengeance, that, to avoid a trip to Botany Bay, he fled over to France, as a less dangerous voyage."

I am not refusing or contradicting the fallhood of this publication, for it is sufficiently notorious; neither am I censuring the writer; on the contrary, I thank him for the explanation he has incautiously given of the principles of the Washington faction. Insignificant, however, as the piece is, it was capable of having some ill effects, had it arrived in France during my imprisonment, and in the time of Robespierre; and I am not uncharitable in supposing, that this was one of the intentions of the writer\*.

I have now done with Mr. Washington on the score of private affairs. It would have been far more agreeable to me, had his conduct been such as not to have merited these reproaches. Errors or caprices of the temper can be pardoned

\* I know not who the writer of the piece is, but some late Americans say it is Phineas Bond, an American refugee, and now a British consul; and that he writes under the signature of Peter Skunk, or Peter Porcupine, or some such signature.

and forgotten; but a cold deliberate crime of the heart, such as Mr. Washington is capable of acting, is not to be washed away.—I now proceed to other matter.

After Jay's note to Grenville arrived in Paris from America, the character of every thing that was to follow might be easily foreseen; and it was upon this anticipation that my letter of February the twenty second was founded. The event has proved that I was not mistaken, except that it has been much worse than I expected.

It would naturally occur to Mr. Washington that the secrecy of Jay's mission to England, where there was already an American minister, could not but create some suspicion in the French government, especially as the conduct of Morris had been notorious, and the intimacy of Mr. Washington with Morris was known.

The character, which Mr. Washington has attempted to act in the world, is a sort of non-describable,ameleon-coloured thing, called Prudence. It is in many cases a substitute for principle, and is so nearly allied to hypocrisy, that it easily slides into it. His genius for prudence furnished him in this instance with an expedient that served (as is the natural and general character of all expedients) to diminish the embarrassments of the moment, and multiply them afterwards; for he caused it to be announced to the French government as a confidential matter (Mr. Washington should recollect that I was a member of the Convention, and had the means of knowing what I here state); he caused it, I say, to be announced, and that for the purpose of preventing any uneasiness to France on the score of Mr. Jay's mission to England, that that the object of that mission, and Mr. Jay's authority, were restricted to the demanding of the surrender of the western posts, and indemnification for the cargoes captured in American vessels. Mr. Washington knows that this was untrue: and knowing this, he had good reason to himself, for refusing to furnish the House of Representatives with copies of the



instructions given to Jay, as he might suspect, among other things, that he should also be called upon for copies of instructions given to other ministers, and that in the contradiction of instructions his want of integrity would be detected. Mr. Washington may now, perhaps, learn, when it is too late to be of any use to him, that a man will pass better through the world with a thousand open errors upon his back, than in being detected in *one* fly falsehood. When one is detected, a thousand are suspected.

The first account that arrived in Paris of a treaty being negotiated by Mr. Jay (for nobody suspected any), came in an English newspaper, which announced, that a treaty *offensive* and *defensive* had been concluded between the United States of America and England. This was immediately denied by every American in Paris, as an impossible thing; and though it was disbelieved by the French, it imprinted a suspicion that some underhand business was going forward. At length the treaty itself arrived, and every well affected American blushed with shame.

It is curious to observe how the appearances of characters will change, whilst the root that produces them remains the same. The Washington faction having waded through the slough of negotiation, and, whilst it amused France with professions of friendship, contrived to injure her, immediately throws off the hypocrite, and assumes the swaggering air of a bravado. The party papers of that imbecile administration were on this occasion filled with paragraphs about sovereignty. A poltroon may boast of his sovereign right to let another kick him, and this is the only kind of sovereignty shown in the treaty with England. But those dashing paragraphs, as Timothy Pickering well knows, were intended for France, without whose assistance in men, money, and ships, Mr. Washington would have cut but a poor figure in the  
American

American war. But of his military talents I shall speak hereafter.

I mean not to enter into any discussion of any article of Jay's treaty: I shall speak only upon the whole of it. It is attempted to be justified on the ground of its not being a violation of any article or articles of the treaty pre-existing with France. But the sovereign right of explanation does not lie with George Washington and his man Timothy; France, on her part, has, at least, an equal right; and when nations dispute, it is not so much about words as about things.

A man, such as the world calls a sharper, as versed as Jay must be supposed to be in the quibbles of the law, may find a way to enter into engagements, and make bargains, in such a manner as to cheat some other party, without that party being able, as the phrase is, *to take the law of him*. This often happens in the cabalistical circle of what is called law. But when this is attempted to be acted on the national scale of treaties, it is too despicable to be defended, or to be permitted to exist. Yet this is the trick upon which Jay's treaty is founded, so far as it has relation to the treaty pre-existing with France. It is a counter-treaty to that treaty, and perverts all the great articles of that treaty to the injury of France, and makes them operate as a bounty to England, with whom France is at war. The Washington administration shows great desire, that the treaty between France and the United States be preserved. Nobody can doubt its sincerity upon this matter. There is not a British minister, a British merchant, or a British agent, or factor in America, that does not anxiously wish the same thing. The treaty with France serves now as a passport to supply England with naval stores, and other articles of American produce; whilst the same articles when coming to France are made contraband, or seizable, by Jay's treaty with England. The treaty with France says, that neutral  
ships

ships make neutral property, and thereby gives protection to English property on board American ships; and Jay's treaty delivers up French property on board American ships; to be seized by the English. It is too paltry to talk of faith, of national honour, and of the preservation of treaties, while such a barefaced treachery as this stares the world in the face.

The Washington administration may save itself the trouble of proving to the French government its *most faithful* intentions of preserving the treaty with France; for France has now no desire that it should be preserved; she had nominated an envoy extraordinary to America, to make Mr. Washington and his government a present of the treaty, and to have no more to do with *that* or with *him*. It was at the same time officially declared to the American minister at Paris, *that the French republic had rather have the American government for an open enemy, than a treacherous friend*. This, sir, together with the internal distractions caused in America, and the loss of character in the world, is the *eventful crisis* alluded to in the beginning of this letter, to which your double politics have brought the affairs of your country. It is time that the eyes of America be opened upon you.

How France would have conducted herself towards America, and American commerce, after all treaty stipulations had ceased, and under the sense of services rendered, and injuries received, I know not. it is, however, an unpleasant reflection, that in all national quarrels the innocent, and even the friendly part of the community, become involved with the culpable and the unfriendly; and as the accounts that arrived from America continued to manifest an invariable attachment, in the general mass of the people, to their original ally, in opposition to the new-fangled Washington faction, the resolutions that had been taken in France were suspended. It happened



pened also, fortunately enough, that Governor Morris was not minister at this time.

There is, however, one point that yet remains in embryo, and which, among other things, serves to show the ignorance of the Washington treaty makers, and their inattention to pre-existing treaties, when they were employing themselves in framing or ratifying the new treaty with England.

The second article of the treaty of commerce between the United States and France says, "The Most Christian King and the United States engage mutually not to grant any particular favour to other nations, in respect to commerce and navigation, that shall not immediately become common to the other party, who shall enjoy the same favour freely, if the concession was freely made, or on allowing the same compensation if the concession was conditional."

All the concessions therefore made to England by Jay's treaty are, through the medium of this second article in the pre-existing treaty, made to France, and become engrafted into the treaty with France, and can be exercised by her as a matter of right, the same as by England.

Jay's treaty makes a concession to England, and that unconditionally, of seizing naval stores in American ships, and condemning them as contraband. It makes also a concession to England to seize provisions and *other articles* in American ships. *Other articles*, are *all other articles*, and none but an ignoramus, or something worse, would have put such a phrase into a treaty. The condition annexed to this case is, that the provisions and other articles so seized, are to be paid for at a price to be agreed upon. Mr. Washington, as president, ratified this treaty after he knew the British government had recommenced an indiscriminate seizure of provisions, and of all other articles in American ships; and it is now known that those seizures were made to fit out the expedition going

to Quiberon Bay, and it was known beforehand that they would be made. The evidence goes also a good way to prove that Jay and Grenville understood each other upon that subject. Mr. Pinkney when he passed through France in his way to Spain, spoke of the recommencement of the seizures as a thing that would take place. The French government had by some means received information from London to the same purpose, with the addition, that the recommencement of the seizures would cause no misunderstanding between the British and American governments. Grenville, in defending himself against the opposition in parliament on account of the scarcity of corn, said (see his speech at the opening of the parliament that met October 29, 1795) that *the supplies for the Quiberon expedition were furnished out of the American ships*, and all the accounts received at that time from England stated that those seizures were made under the treaty. After the supplies for the Quiberon expedition had been procured, and the expected success had failed, the seizures were countermanded, and had the French seized provision vessels going to England, it is probable that the Quiberon expedition could not have been attempted.

In one point of view, the treaty with England operates as a loan to the English government. It gives permission to that government to take American property at sea, to any amount, and pay for it when it suits her; and besides this, the treaty is in every point of view a surrender of the rights of American commerce and navigation, and a refusal to France of the rights of neutrality. The American flag is not now a neutral flag to France, Jay's treaty of surrender gives a monopoly of it to England.

On the contrary, the treaty of commerce between America and France was formed on the most liberal principles, and calculated to give the greatest encouragement to the infant commerce of America. France was neither a carrier nor an

exporter of naval stores, or of provisions; those articles belonged wholly to America, and they had all the protection in that treaty which a treaty can give. But so much has that treaty been perverted, that the liberality of it, on the part of France, has served to encourage Jay to form a counter-treaty with England; for he must have supposed the hands of France tied up by her treaty with America, when he was making such large concessions in favour of England. The injury which Mr. Washington's administration has done to the character, as well as to the commerce of America, is too great to be repaired by him. Foreign nations will be shy of making treaties with a government, that has given the faithless example of perverting the liberality of a former treaty to the injury of the party with whom it was made.

In what a fraudulent light must Mr. Washington's character appear in the world, when his declarations and his conduct are compared together? Here follows the letter he wrote to the committee of public safety, whilst Jay was negotiating in profound secrecy this treacherous treaty.

“ George Washington, President of the United States  
 “ of America, to the Representatives of the French  
 “ people, Members of the Committee of Public  
 “ Safety of *the French Republic, the great and good*  
 “ *Friend and Ally of the United States.*”

“ On the intimation of the wish of the French Republic,  
 “ that a new minister should be sent from the United States,  
 “ I resolved to manifest my sense of the readiness with which  
 “ *my* request was fulfilled (that of recalling Genet), by immediately fulfilling the request of your government (that of  
 “ recalling Morris.)

“ It was some time before a character could be obtained  
 “ worthy



" worthy the high office of expressing the attachment of the  
 " United States to the happiness of our allies, *and drawing*  
 " *closer the bonds of our friendship.* I have now made choice  
 " of James Monroe, one of our distinguished citizens, to re-  
 " side near the French republic, in quality of minister pleni-  
 " potentiary of the United States of America. He is in-  
 " structed to bear to you our *sincere solicitude for your wel-*  
 " *fare, and to cultivate with zeal the cordiality so happily*  
 " *subsisting between us.* From a knowledge of his fidelity,  
 " probity, and good conduct, I have entire confidence that  
 " he will render himself acceptable to you, and give effect to  
 " your desire of preserving and *advancing on all occasions the*  
 " *interest and connection of the two nations.* I beseech you,  
 " therefore, to give full credence to whatever he shall say to  
 " you on the part of the United States, and most of all, when  
 " he shall assure you that your prosperity is an object of our  
 " affection. And I pray God to have the French Republic  
 " in his holy keeping.

G. WASHINGTON."

Was it by entering into a treaty with England to surrender  
 French property on board American ships, to be seized by  
 the English, whilst English property on board American  
 ships was declared by the French treaty not to be seizable,  
*that the bonds of friendship between America and France were*  
*to be drawn closer?* Was it by declaring naval stores con-  
 traband when coming to France, whilst by the French treaty  
 they were not contraband when going to England, that the  
*connection between France and America was to be advanced?*  
 Was it by opening the American ports to the British navy in  
 the present war, from which ports that same navy had been  
 expelled by the aid solicited from France in the American  
 war (and that aid gratuitously given), that the gratitude of

America was to be shown, and the solicitude spoken of in the letter demonstrated?

As the letter was addressed to the Committee of Public Safety, Mr. Washington did not expect it would get abroad in the world, or be seen by any other eye than that of Robespierre, or be heard by any other ear than that of the Committee; that it would pass as a whisper across the Atlantic from one dark chamber to the other, and there terminate. It was calculated to remove from the mind of the Committee all suspicion upon Jay's mission to England, and in this point of view it was suited to the circumstances of the moment then passing; but as the event of that mission has proved the letter to be hypocritical, it serves no other purpose of the present moment than to show, that the writer is not to be credited. Two circumstances served to make the reading of the letter necessary in the Convention; the one was, that they who succeeded on the fall of Robespierre, found it most proper to act with publicity; the other, to extinguish the suspicions which the strange conduct of Morris had occasioned in France.

When the British treaty and the ratification of it by Mr. Washington were known in France, all further declarations from him of his good dispositions, as an ally and a friend, passed for so many cyphers; but still it appeared necessary to him to keep up the farce of declarations. It is stipulated in the British treaty, that commissioners are to report at the end of two years on the case of *neutral ships making neutral property*. In the mean time neutral ships do *not* make neutral property according to the British treaty, and they *do* according to the French treaty. The preservation therefore of the French treaty became of great importance to England, as by that means she can employ American ships as carriers, whilst the same advantage is denied to France. Whether the French  
treaty

treaty could exist as a matter of right after this clandestine perversion of it, could not but give some apprehensions to the partizans of the British treaty, and it became necessary to them to make up by fine words what was wanting in good actions.

An opportunity offered for that purpose. The Convention on the public reception of Mr. Monroe ordered the American flag and the French flag to be displayed unitedly in the hall of the Convention. Mr. Monroe made a present of an American flag for the purpose. The Convention returned this compliment by sending a French flag to America, to be presented by their minister, Mr. Adet, to the American government. This resolution passed long before Jay's treaty was known or suspected; it passed in the days of confidence;—but the flag was not presented by Mr. Adet till several months after the treaty had been ratified. Mr. Washington made this the occasion of saying some fine things to the French minister, and the better to get himself into tune to do this, he began by saying the finest things of himself.

“Born, Sir,” said he, “in a land of liberty; *having* learned its value; *having* engaged in a perilous conflict to defend it; *having*, in a word, devoted the best years of my life to secure its permanent establishment in my own country; *my* anxious recollections, *my* sympathetic feelings, and *my* best wishes, are irresistibly excited whenever in any country I see an oppressed people unfurl the banner of freedom.” Mr. Washington having expended so many fine phrases upon himself, was obliged to invent a new one for the French, and he calls them “Wonderful people!” The coalesced powers acknowledge as much.

It is laughable to hear Mr. Washington talk of his *sympathetic feelings*, who has always been remarked, even among his friends, for not having any. He has, however, given no proof of any to me. As to the pompous encomiums he so  
liberally



liberally pays to himself on the score of the American revolution, the propriety of them may be questioned; and since he has forced them so much into notice, it is fair to examine his pretensions.

A stranger might be led to suppose, from the egotism with which Mr. Washington speaks, that himself, and himself only, had engerated, conducted, completed, and established the revolution. In fine, that it was all his own doing.

In the first place, as to the political part, he had no share in it; and therefore the whole of *that* is out of the question with respect to him. There remains then only the military part; and it would have been prudent in Mr. Washington not to have awakened inquiry upon that subject. Fame then was cheap; he enjoyed it cheaply; and nobody was disposed to take away the laurels, that, whether they were *acquired* or not, had been given.

Mr. Washington's merit consisted in constancy. But constancy was the common virtue of the revolution. Who was there that was inconstant? I know but of one military defection, that of Arnold; and I know of no political defection among those who made themselves eminent when the revolution was formed by the declaration of independence. Even Silas Deane, though he attempted to defraud, did not betray.

But when we speak of military character, something more is to be understood than constancy; and something more *ought* to be understood than the Fabian system of *doing nothing*. The *nothing* part can be done by any body. Old Mrs. Thompson, the housekeeper of head-quarters (who threatened to make the sun and the *wind* shine through Rivington of New-York) could have done it as well as Mr. Washington. Deborah would have been as good as Barak.

Mr. Washington had the nominal rank of commander in chief, but he was not so in fact. He had in reality only a  
separate

separate command. He had no controul over, or direction of, the army to the northward under Gates, that captured Burgoyne; or of that to the south under Greene, that recovered the southern states. The nominal rank, however, of commander in chief, served to throw upon him the lustre of those actions, and to make him appear as the soul and center of all military operations in America.

He commenced his command June 1775, during the time the Massachusset army lay before Boston, and after the affair of Bunker's-Hill. The commencement of his command was the commencement of inactivity. Nothing was afterwards done, or attempted to be done, during the nine months he remained before Boston. If we may judge from the resistance made at Concord, and afterwards at Bunker's-Hill, there was a spirit of enterprise at that time, which the presence of Mr. Washington chilled into cold defence. By the advantage of a good exterior he attracts respect, which his habitual silence tends to preserve; but he has not the talent of inspiring ardour in an army. The enemy removed from Boston to Halifax in March 1776, to wait for reinforcements from Europe, and to take a more advantageous position at New-York.

The inactivity of the campaign 1775, on the part of General Washington, when the enemy had a less force than in any other future period of the war, and the injudicious choice of positions taken by him in the campaign of 1776, when the enemy had its greatest force, necessarily produced the losses and misfortunes that marked that gloomy campaign. The positions taken were either islands or necks of land. In the former, the enemy, by the aid of their ships, could bring their whole force against a part of General Washington's, as in the affair of Long-Island; and in the latter he might be shut up as in the bottom of a bag. This  
had

had nearly been the case at New-York, and it was so in part; it was actually the case at Fort Washington; and it would have been the case at Fort Lee, if General Greene had not moved precipately off, leaving every thing behind, and by gaining Hackinsuch-bridge, got out of the bag of Bergin-neck. How far Mr. Washington, as general is blamable for these matters, I am not undertaking to determine, but they are evidently defects in military geography. The suecessful skirmishes at the close of that campaign (matters that would scarcely be noticed in a better state of things) make the brilliant exploits of General Washington's seven campaigns. No wonder we see so much pusillanimity in the *president* when we see so little enterprise in the *general*.

The campaign of 1777 became famous, not by any thing on the part of General Washington, but by the capture of General Burgoyne and the army under his command, by the northern army at Saratoga under General Gates. So totally distinct and unconnected were the two armies of Washington and Gates, and so independent was the latter of the authority of the nominal commander in chief, that the two generals did not so much as correspond, and it was only by a letter of general (since Governor) Clinton, that General Washington was informed of that event. The British took possession of Philadelphia this year, which they evacuated the next, just time enough to save their heavy baggage and fleet of transports from capture by the French Admiral D'Estaing, who arrived at the mouth of the mouth of the mouth of the Delaware soon after.

The capture of Burgoyne gave an eclat in Europe to the American arms, and facilitated the alliance with France. The eclat however was not kept up by any thing on the part of General Washington. The same unfortunate languor that marked his entrance into the field, continued always. Dis-



content began to prevail strongly against him, and a party was formed in Congress, whilst sitting at York-town in Pennsylvania, for removing him from the command of the army. The hope however of better times, the news of the alliance with France, and the unwillingness of showing discontent, dissipated the matter.

Nothing was done in the campaign of 1778, 1779, 1780, in the part where General Washington commanded, except the taking Stoney-Point by General Wayne. The southern states in the mean time were over-run by the enemy. They were afterwards recovered by General Greene, who had in a very great measure created the army that accomplished that recovery. In all this General Washington had no share. The Fabian system of war, followed by him, began now to unfold itself with all its evils; for what is Fabian war without Fabian means to support it? The finances of Congress, depending wholly on emissions of paper-money, were exhausted. Its credit was gone. The continental treasury was not able to pay the expense of a brigade of waggons to transport the necessary stores to the army, and yet the sole object, the establishment of the revolution, was a thing of remote distance. The time I am now speaking of is the latter end of the year 1780.

In this situation of things it was found not only expedient, but absolutely necessary for Congress to state the whole case to its ally. I know more of this matter (before it came into Congress, or was known to General Washington), of its progress, and its issue, than I choose to state in this letter. Colonel John Laurens was sent to France, as an envoy extraordinary on this occasion, and by a private agreement between him and me, I accompanied him. We sailed from Boston in the Alliance frigate, February eleventh, 1781. France had already done much in accepting and paying bills drawn by Congress; she was now called upon to do more. The event

of Colonel Laurens's mission, with the aid of the venerable minister Franklin, was, that France gave in money as a present, six million of livres, and ten millions more as a loan, and agreed to send a fleet of not less than thirty sail of the line at her own expence as an aid to America. Colonel Laurens and myself returned from Brest the first of June following, taking with us two millions and a half of livres (upwards of one hundred thousand pounds sterling) of the money given, and convoying two ships with stores.

We arrived at Boston the twenty-fifth of August following. De Grasse arrived with the French fleet in the Chesapeak at the same time, and was afterwards joined by that of Barras, making thirty-one sail of the line. The money was transported in waggons from Boston to the bank of Philadelphia, of which Mr. Thomas Willing, who has since put himself at the head of the list of petitioners in favour of the British treaty, was then president. And it was by the aid of this money, of this fleet, and of Rochambeau's army, that Cornwallis was taken; the laurels of which have been unjustly given to Mr. Washington. His merit in that affair was no more than that of any other American officer.

I have had, and still have, as much pride in the American revolution as any man, or as Mr. Washington has a right to have; but that pride has never made me forgetful whence the great aid came that compleated the business. Foreign aid (that of France) was calculated upon at the commencement of the revolution. It is one of the subjects treated of in the pamphlet *Common Sense*, but as a matter that could not be hoped for, unless independence was declared. The aid however was greater than could have been expected.

It is as well the ingratitude as the pusillanimity of Mr. Washington, and the Washington faction, that has brought upon America the loss of character she now suffers in the world.

world, and the numerous evils her commerce has undergone, and to which it is still exposed. The British ministry soon found out what sort of men they had to deal with, and they dealt with them accordingly; and if further explanation was wanting, it has been fully given since, in the snivelling address of the New York chamber of commerce to the president, and in that of sundry merchants of Philadelphia, which was not much better.

When the revolution of America was finally established by the termination of the war, the world gave her credit for great character; and she had nothing to do but to stand firm upon that ground. The British ministry had their hands too full of trouble to have provoked a rupture with her, had she shown a proper resolution to defend her rights: but encouraged as they were, by the submissive character of the American administration, they proceeded from insult to insult, till none more were left to be offered. The proposals made by Sweden and Denmark to the American government were disregarded. I know not if so much as an answer has been returned to them. The minister *penitentiary*, (as some of the British prints called him) Mr. Jay, was sent on a pilgrimage to London, to make all up by penance and petition. In the mean time, the lengthy and drowsy writer of the pieces signed *Camillus* held himself in reserve to vindicate *every thing*; and to sound in America the tocsin of terror upon the *inexhaustible* resources of England. Her resources, says he, are greater than those of all the other powers. This man is so intoxicated with fear and finance, that he knows not the difference between *plus* and *minus*—between a hundred pounds in hand, and a hundred pounds worse than nothing.

The commerce of America, so far as it had been established, by all the treaties that had been formed prior to that by Jay, was free, and the principles upon which it was established



were good. That ground ought never to have been departed from. It was the justifiable ground of right; and no temporary difficulties ought to have induced an abandonment of it. The case now is otherwise. The ground, the scene, the pretensions, the every thing is changed. The commerce of America is by Jay's treaty put under foreign dominion. The sea is not free for her. Her right to navigate is reduced to the right of escaping; that is, until some ship of England or France stops her vessels, and carries them into port. Every article of American produce, whether from the sea or the land, fish, flesh, vegetable, or manufacture, is by Jay's treaty made either contraband, or seizable. Nothing is exempt. In all other treaties of commerce the articles which enumerates the contraband article, such as fire-arms, gunpowder, &c. is followed by another which enumerates the articles not contraband: but it is not so in Jay's treaty. There is no exempting article. Its place is supplied by the article for seizing and carrying into port; and the sweeping phrase of provisions and *other articles* includes every thing. There never was such a base and servile treaty of surrender, since treaties began to exist.

This is the ground upon which America now stands. All her rights of commerce and navigation are to be anew, and that with loss of character to begin with.—If there is sense enough left in the heart, to call a blush into the cheek, the Washington administration must be ashamed to appear.—And as to you, sir, treacherous in private friendship (for so you have been to me, and that in the day of danger), and a hypocrite in public life, the world will be puzzled to decide, whether you are an APOSTATE, or an IMPOSTOR? Whether you have abandoned good principles, or whether you ever had any?

THOMAS PAINE.

APPENDIX.

## APPENDIX.

## MEMORIAL

OF

THOMAS PAINE TO MR. MONROE,

*Alluded to in the foregoing Letter.*

Luxembourg, September 10, 1794.

I ADDRESS this memorial to you in consequence of a letter I received from a friend 18th Fructidor (September 4th), in which he says—" Mr. Monroe has told me, that he " has no orders (meaning from the Congress) respecting " you ; but I am sure he will leave nothing undone to liberate " you. But from what I learn from all the late Americans, " you are not considered either by the government or by the " individuals as an American citizen. You have been made " a French citizen, which you have accepted, and you have " further made yourself a servant of the French republic ; " and therefore it would be out of character for an American " minister to interfere in their internal concerns.—You must " therefore either be liberated out of compliment to America, " or stand your trial, which you have a right to demand."

This information was so unexpected by me, that I am at a loss how to answer it. I know not on what principle it originates :—whether from an idea that I had voluntarily abandoned my citizenship of America, for that of France, or from any article of the American constitution applied to me.—The first is untrue, with respect to any intention on my part ; and the

the second is without foundation, as I shall show in the course of this memorial.

The idea of conferring the honour of citizenship upon foreigners who had distinguished themselves in propagating the principles of liberty and humanity, in opposition to despotism, war, and bloodshed, was first proposed by me to La Fayette at the commencement of the French revolution, when his heart appeared to be warmed with those principles. My motive in making this proposal, was to render the people of different nations more fraternal than they had been, or then were. I observed that almost every branch of science had possessed itself of the exercise of this right, so far as regarded its institution. Most of the academies and societies in Europe, and also those of America, conferred the rank of honourary member upon foreigners eminent in knowledge, and made them in fact, citizens of their literary or scientific republic; without affecting, or anywise diminishing their rights of citizenship in their own country or in other societies: and why the science of government should not have the same advantage, or why the people of one nation should not by their representatives exercise the right of conferring the honour of citizenship upon individuals eminent in another nation, without affecting *their* rights of citizenship in their own proper country, is a problem yet to be solved.

I now proceed to remark on that part of the letter in which the writer says—that, “*from all he can learn from the late Americans, I am not considered in America, either by the government, or by the individuals, as an American citizen.*”

In the first place, I wish to ask, what is here meant by the government of America? The members who compose the government are only individuals when in conversation, and who, most probably hold very different opinions upon the subject.—



subject—Have Congress as a body made any declaration respecting me, that they no longer consider me as a citizen? If they have not, any thing they may otherwise say, is no more than the opinion of individuals, and consequently is not legal authority, or anywise sufficient authority to deprive any man of his citizenship. Besides, whether a man has forfeited his rights of citizenship, is a question not determinable by Congress, but by a court of judicature and a jury; and must depend upon evidence, and the application of some law or article of the constitution to the case. No such proceeding has yet been had, and consequently I remain a citizen until it had, be that decision what it may; for there can be no such thing as a suspension of rights in the interim

I am very well aware, and always was, of the article of the constitution which says, as nearly as I can recollect the words, that “any citizen of the United States, who shall accept any title, place, or office, from any foreign king, prince, or state, shall forfeit and lose his right of citizenship of the United States.”

Had the article said, that *any citizen of the United States, who shall be a member of any foreign convention, for the purpose of forming a free constitution, shall forfeit and lose the right of citizenship of the United States*, the article had been directly applicable to me; but the idea of any such article never could enter the mind of the American Convention, and the present article is altogether foreign to the case with respect to me. It supposes a government in active existence and not a government dissolved; and it supposes a citizen of America accepting titles and offices under that government, and not a citizen of America who gives his assistance in a convention chosen by the people for the purpose of forming a government *de novo*, founded on their authority.

The

The late constitution and government of France was dissolved the tenth of August 1792. The national legislative assembly then in being supposed itself without sufficient authority to continue its sittings, and it proposed to the departments to elect, not another legislative assembly, but a convention, for the express purpose of forming a new constitution. When the assembly were discoursing on this matter, some of the members said, that they wished to gain all the assistance possible upon the subject of free constitutions; and expressed a wish to elect and invite foreigners of any nation to the convention, who had distinguished themselves in defending, explaining, and propagating the principles of liberty. It was on this occasion that my name was mentioned in the assembly. After this a deputation from a body of the French people, in order to remove any objection that might be made against my assisting at the proposed convention, requested the assembly, as their representatives, to give me the title of French Citizen; after which I was elected a member of the Convention in four different departments, as is already known.

The case therefore is, that I accepted nothing from any king, prince, or state; or from any government: for France was without any government, except what arose from common consent, and the necessity of the case. Neither did "*I make myself a servant of the French republic,*" as the letter already alluded to expresses; for at that time France was not a republic, not even in name. She was altogether a people in a state of revolution.

It was not until the Convention met that France was declared a republic, and monarchy abolished; soon after which a committee was elected, of which I was a member, to form a constitution, which was presented to the Convention the fifteenth and sixteenth of February following, but was not to be

be taken into consideration till after the expiration of two months, and if approved by the Convention, was then to be referred to the people for their acceptance, with such additions or amendments as the Convention should make.

In thus employing myself upon the formation of a constitution, I certainly did nothing inconsistent with the American constitution. I took no oath of allegiance to France, or any other oath whatever. I considered the citizenship they had presented me as an honorary mark of respect paid to me not only as a friend to liberty, but as an American citizen. My acceptance of that, or of the deputyship, not conferred on me by any king, prince, or state, but by a people in a state of revolution, and contending for liberty, required no transfer of my allegiance or of my citizenship, from America to France. There I was a real citizen, paying taxes; here I was a voluntary friend, employing myself on a temporary service. Every American in Paris knew, that it was my constant intention to return to America, as soon as a constitution should be established, and that I anxiously waited for that event.

I ever must deny, that the article of the American constitution already mentioned, can be applied either verbally, intentionally, or constructively, to me. It undoubtedly was the intention of the Convention that framed it, to preserve the purity of the American republic, from being debased by foreign and foppish customs; but it never could be its intention to act against the principles of liberty, by forbidding its citizens to assist in promoting those principles in foreign countries; neither could it be its intention to act against the principles of gratitude. France had aided America in the establishment of her revolution, when invaded and oppressed by England and her auxiliaries. France in her turn was invaded and oppressed by a combination of foreign despots. In this situation I conceived it an act of gratitude in me, as



a citizen of America, to render her in return the best services I could perform. I came to France (for I was in England when I received the invitation) not to enjoy ease, emoluments, and foppish honours, as the article supposes; but to encounter difficulties and dangers in defence of liberty; and I much question whether those who now malignantly seek (for some I believe do) to turn this to my injury, would have had courage to have done the same. I am sure Governor Morris would not. He told me the second day after my arrival (in Paris), that the Austrians and Prussians, who were then at Verdun, would be in Paris in a fortnight. I have no idea, said he, that seventy thousand disciplined troops can be stopt in their march by any power in France.

Besides the reasons I have already given for accepting the invitation to the Convention, I had another that has reference particularly to America, which I mentioned to Mr. Pinckney the night before I left London to come to Paris: "That it was to the interest of America that the system of European governments should be changed, and placed on the same principle with her own."

It is certain that governments upon similar systems agree better together, than those that are founded on principles discordant with each other; and the same rule holds good with respect to the people living under them. In the latter case they offend each other by pity, or by reproach; and the discordancy carries itself to matters of commerce. I am not an ambitious man, but perhaps I have been an ambitious American. I have wished to see America the *Mother Church* of government.

I have now stated sufficient matter to show, that the article in question is not applicable to me; and that any such application to my injury, as well in circumstances as in rights, is contrary both to the letter and intention of that article, and

is illegal and unconstitutional. Neither do I believe that any jury in America, when they are informed of the whole of the case, would give a verdict to deprive me of my rights upon that article. The citizens of America, I believe, are not very fond of permitting forced and indirect explanations to be put upon matters of this kind. I know not what were the merits of the case with respect to the person who was prosecuted for acting as prize-master to a French privateer, but I know that the jury gave a verdict against the prosecution. The rights I have acquired are dear to me. They have been acquired by honourable means, and by dangerous service in the worst of times, and I cannot passively permit them to be wrested from me. I conceive it my duty to defend them, as the case involves a constitutional and public question, which is, how far the power of the federal government extends, in depriving any citizen of his rights of citizenship, or of suspending them.

That the explanation of national treaties belongs to Congress, is strictly constitutional; but not the explanation of the constitution itself, any more than the explanation of law in the case of individual citizens. These are altogether judiciary questions. It is however worth observing, that Congress, in explaining the article of the treaty with respect to French prizes and French privateers, confined itself strictly to the letter of the article. Let them explain the article of the constitution with respect to me in the same manner, and the decision, did it appertain to them, could not deprive me of my rights of citizenship, or suspend them, for I have accepted nothing from any king, prince, state, or government.

You will please to observe, that I speak as if the federal government had made some declaration upon the subject of my citizenship; whereas the fact is otherwise; and your saying that you have no orders respecting me, is a proof of it. They, therefore, who propagate the report of my not being

considered as a citizen of America by government, do it to the prolongation of my imprisonment, and without authority; for Congress, *as a government*, has neither decided upon it, nor yet taken the matter into consideration; and I request you to caution such persons against spreading such reports.—But be these matters as they may, I cannot have a doubt that you find and feel the case very different, since you have heard what I have to say, and know what my situation is, than you did before your arrival.

Painful as the want of liberty may be, it is a consolation to me to me to believe, that my imprisonment proves to the world, that I had no share in the murderous system that then reigned. That I was an enemy to it, both morally and politically, is known to all who had any knowledge of me; and could have written French as well as I can English, I would publicly have exposed its wickedness, and shewn the ruin with which it was pregnant.—They who have esteemed me on former occasions, whether in America, or in Europe, will, I know, feel no cause to abate that esteem, when they reflect, that *imprisonment with preservation of character, is preferable to liberty with disgrace.*

The letter before quoted in the first page of this memorial, says, that, “it would be out of character for an American minister to interfere in the internal affairs of France.”—This goes on the idea that I am a citizen of France, and a member of the Convention which is not the fact. The Convention have declared me to be a foreigner; and consequently the citizenship and the election are null and void. It also has the appearance of a decision, that the article of the constitution respecting grants made to American citizens by foreign kings, princes, or states, is applicable to me, which is the very point in question, and against the application of which I contend. I state evidence to the minister to show, that I am not within the let-

ter



ter or meaning of that article, that it cannot operate against me, and I apply to him for the protection that, I conceive, I have a right to ask, and to receive. The internal affairs of France are out of the question with respect to my application, or his interference. I ask it not as a citizen of France, for I am not one; I ask it not as a member of the Convention, for I am not one; both these, as before said, have been rendered null and void; I ask it, not as a man against whom there is any accusation, for there is none; I ask it not as an exile from America, whose liberties I have honourably and generously contributed to establish; I ask it as a citizen of America, deprived of his liberty in France, under the plea of his being a foreigner; and I ask it, because I conceive I am entitled to it upon every principle of constitutional justice and national honour.

THOMAS PAINE.

The following is a list of the names of the persons who have been elected to the office of Justice of the Peace for the year 1900, in the several townships of the County of Cook, Illinois, as shown on the returns filed with the County Clerk:

Township	Name
Algonquin	John A. Smith
Alsip	James H. Jones
Archer	William B. Brown
Archer	Charles E. White
Archer	Robert L. Green
Archer	Thomas M. Black
Archer	George W. Gray
Archer	Henry J. Hall
Archer	John D. King
Archer	William C. Lee
Archer	James F. Scott
Archer	Charles G. Adams
Archer	Robert H. Baker
Archer	Thomas I. Campbell
Archer	George K. Evans
Archer	Henry L. Foster
Archer	John M. Gibson
Archer	William N. Hart
Archer	James O. Ingram
Archer	Charles P. Jordan
Archer	Robert Q. Kelly
Archer	Thomas R. Lamb
Archer	George S. Little
Archer	Henry T. Moore
Archer	John U. Nelson
Archer	William V. Owen
Archer	James W. Parker
Archer	Charles Y. Reed
Archer	Robert Z. Shaw
Archer	Thomas A. Taylor
Archer	George B. Thomas
Archer	Henry C. Turner
Archer	John E. Vance
Archer	William F. Ward
Archer	James G. Wells
Archer	Charles H. White
Archer	Robert I. Wilson
Archer	Thomas J. Young

